

Notice of Allowability

Application No.

09/804,255

Examiner

James A. Thompson

Applicant(s)

TOMOMATSU, YOSHIKI

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12 February 2007.
2. ☒ The allowed claim(s) is/are 2,3 and 16-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

James A. Thompson
Examiner
Technology Division 2625

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 8, filed 12 February, with respect to the rejection under 35 USC § 101 have been fully considered and are persuasive. The rejection under 35 USC § 101 listed in items 3-4 of the previous office action, mailed 05 January 2007, has been withdrawn.

Allowable Subject Matter

2. **Claims 2-3 and 16-21 are allowed.**

The following is an examiner's statement of reasons for allowance:

The newly added independent claims 16, 20 and 21 recite subject matter that is neither anticipated nor rendered obvious by the prior art. Specifically, claims 16, 20 and 21 recite the features of (1) analyzing a rendering command and determining whether or not an object image is of a specific image type, (2) determining if an object image is of a specific image type on the next rendering command if the object image is not of the specific image type, and (3) performing either (i) outputting the developed image in memory if the analysis of the rendering command determines that there is no object image of the specific image type in a predetermined region or (ii) reacquiring the rendering command of the object image in the predetermined region and then correcting, developing and outputting the object image if the object image is of the specific image type. Examiner has not found this combination of features either in a single reference or in an combination of references such that said combination of features would be rendered obvious to one of ordinary skill in the art at the time of the invention.

The closest prior art references found are Ueda (US Patent 6,008,812), Clouthier (US Patent 5,949,964), and Nakai (US Patent 5,539,523). Ueda and Nakai operate by performing image correction based on the characteristics of different regions. However, neither Ueda nor Nakai have any means for processing regions which are not recognized as specific image types, and Ueda and Nakai perform image processing and correction based on prestored parameters, rather than reacquiring a rendering command previously obtained when a specific image type is recognized again in the image. In Clouthier, if an image region is not recognized as a specific type, nothing is done. The image data is simply passed to the printer. If the region is recognized, a prestored process is performed. There is no reacquisition of rendering commands previously obtained when a specific image type is recognized again in the image.

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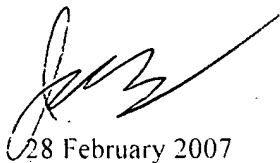
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



28 February 2007

James A. Thompson
Examiner
Technology Division 2625



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600